



DOCKET NO: 5244-0104-2X

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

TETSURO MOTOYAMA ET AL. : EXAMINER: ZIA, SYED

SERIAL NO: 09/440,692 :

RCE FILED: SEPTEMBER 25, 2003 : GROUP ART UNIT: 2131

FOR: REMOTE SYSTEM USAGE
MONITORING WITH FLEXIBLE
ENCODING AND DECODING OBJECTS

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF
(37 CFR 41.37)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Notification of Non-Compliant Appeal Brief, we are enclosing herewith a signed Appeal Brief in replace to the Appeal Brief filed January 28, 2005, which was found defective. The enclosed Appeal Brief is the same as that filed January 28, 2005.

Respectfully submitted,

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Docket No.: 5244-0104-2X

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/440,692

Applicants: Tetsuro MOTOYAMA, et al.

RCE Filed: September 25, 2003

For: REMOTE SYSTEM USAGE MONITORING WITH
FLEXIBLE ENCODING AND DECODING OBJECTS

Group Art Unit: 2131

Examiner: Zia, Syed

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF (37 CFR 41.37)
SIGNED APPEAL BRIEF WITH APPENDICES

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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